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## Facsimile Cover Sheet

To: Mark Polutta  
Office of Patent Legal Administration

Fax: (571) 273-8300

From: John T. Mockler, Esq.

Time: 11:49 AM

Date: July 11, 2006

Client/Matter: SAMS01-00077

THIS FAX CONSISTS OF 4 PAGE(S) (INCLUDING THIS COVER SHEET).  
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U.S. Serial No. 09/461,072 filed December 14, 1999

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DOCKET NO.: 2000.03.002.WS0  
CLIENT NO.: SAMS01-00077  
Customer No.: 23990

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Sandro Gregorat  
Application No.: 09/461,072  
Filed: December 14, 1999  
Title: Data Synchronization System and Method of Operation  
Art Unit: 2161  
Examiner: Cam-Linh T. Nguyen

ATTN: Mark Polutta  
Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF TRANSMISSION BY FACSIMILE**

Sir:

The undersigned hereby certifies that the following documents:

1. Petition to Correct Excessive Patent Term Adjustment Calculation

relating to the above application was faxed to (571) 273-8300 on July 11, 2006.

Date:

July 11, 2006

Faxer

Kathy Harrington

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**PETITION TO CORRECT EXCESSIVE  
PATENT TERM ADJUSTMENT CALCULATION**

The Applicant respectfully notes that the patent term adjustment calculation appears to award an excessive term adjustment to the Applicant. After discussing this matter with the Office of Patent Legal Administration, the Applicant believes the error was caused by a failure to reduce the calculated patent term adjustment for the period of a successful appeal that occurred within three years from the filing date.

The Applicant believes the correct patent term adjustment calculation is 608 days. This accounts for the period of the successful appeal in this case from December 14, 2002 (three years

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APPLICATION No.: 09/461,072  
PATENT

after the filing date) to August 13, 2004 (the date of the appeal decision).

The Applicant respectfully requests correction of the patent term adjustment calculation, as well as an opportunity to review any new patent term adjustment calculation.

The Commissioner is hereby authorized to charge any fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

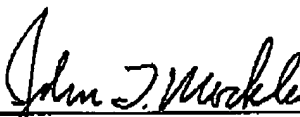
Respectfully submitted,

MUNCK BUTRUS, P.C.

Date:

11 July 2006

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